

**Notice of Allowability**

Application No.

10/693,934

Applicant(s)

SAKAGUCHI, YASUNOBU

Examiner

Art Unit

Negussie Worku

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/28/06.
2. ☒ The allowed claim(s) is/are 1-19.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 10/28/03
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Negussie Worku*  
12/28/06

DOUGLAS Q. TRAN  
PRIMARY EXAMINER

*Tran*

## DETAILED ACTION

### *Reasons for Allowance*

1. The following is an examiner's statement of reasons for allowance. In response to the Office action mailed August 9, 2006, and further to the amendments filed on November 07, 2006, applicant's request in view of the amendments/remarks have been reviewed and respectfully considered.

Applicant's arguments/remarks as indicated on page 1 through 7, are believed to be distinct from the prior art used to reject the application. The rejection to the application in view of the reference cited, and the rejection under 35 U.S.C. 112, second paragraph has been withdrawn.

Therefore, independent claims 1 and 16, and dependent claims those depend on therefrom are allowed, for tat least the reason as follows:

Regarding claims 1 through 15, the prior art cited or used to reject the application neither teach or suggest at least a control means for controlling the conveying means; wherein in the original to be read is conveyed at a speed greater than or equal to a conveying speed corresponding to a reading speed of the image to be read until a reading start position for the image to be read or a vicinity of the reading start position, which is designated by the designating means comes to be located at the

predetermined reading position, and while the image is being read when reading, the original to be read is conveyed at a conveying speed corresponding to the reading speed for the image to be read.

**Instead**, the prior art (Nakamura) discloses that an image sensor 22 reads an image positioned on the reading position by dividing it into a multiplicity of regions and separating it into three colors, which it then outputs as image data representing the density of the colors in each of the divided regions (see column 4, lines 53-60).

Thus, Nakamura (at best) discloses dividing the image into regions and separating the colors in each region into three colors before it outputs image data for each region. However, Nakamura does not disclose or even suggest that the device designates only a portion of the regions. On the contrary, Nakamura outputs image data for "each of the divided regions" in comparison, claim 1 recites, "designating means for designating an image to be read among the plurality of images.

As to claims 16 through 19, the prior art searched and of record neither anticipates nor suggests an n image reading method comprising the steps of: an illuminating an original to be read using the image reading method, on which a plurality of images are recorded, conveying the original to be read, wherein that the plurality of images are successively positioned at a predetermined reading position;

separating each of the plurality of images into plural pixels; reading the plural pixels using an image sensor, and outputting the read plural pixels as an image data, conveying the original to be read at a speed greater than a conveying speed

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corresponding to a reading speed of an image to be read, which is designated from among the plurality of images recorded on the original to be read, until a reading start position of the image to be read or a vicinity of the reading start position located at the predetermined reading position; and effecting control wherein, at the time of reading the image to be read, the original to be read is conveyed at a conveying speed corresponding to a reading speed of the image to be read.

Therefore, claims 1-19 are allowed for the reason the prior art searched and of record neither anticipates nor suggests the claimed invention as amended.

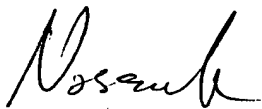
2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Negussie Worku whose telephone number is 571-272-7472. The examiner can normally be reached on 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Negussie Worku

12/29/06

DOUGLAS Q. TRAN  
PRIMARY EXAMINER

